REMARKS

Claims 42, 44, 45, 48-51, 55, 62-66, 68-71, 73, 74, and 77-80 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lin (WO 01/50224) in view of Rankin (US 2002/0039909) and Rodriguez et al. (US 6,650,761). Claims 46, 47, 75, 76, and 81 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lin (WO 01/50224) in view of Rankin (US 2002/0039909), Rodriguez et al. (US 6,650,761), and Wischerop et al. (US 5,955,951). Claims 53 and 54 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lin (WO 01/50224) in view of Rankin (US 2002/0039909), Rodriguez et al. (US 6,650,761), Wischerop et al. (US 5,955,951), and Gallagher et al. (US 6,963,270). Claims 56, 59, and 61 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lin (WO 01/50224) in view of Rankin (US 2002/0039909), Rodriguez et al. (US 6,650,761), and Walter (US 6,275,141). Claims 67 and 72 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lin (WO 01/50224) in view of Rankin (US 2002/0039909), Rodriguez et al. (US 6,650,761), and Katagishi et al. (US 2003/0120745). The examiner is requested to reconsider these rejections.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Applicants have amended claim 42 to recite, *inter alia*, "wherein the message comprises an action code field comprising at least the read code and wherein the message is configured

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to initialize an action". Support for this amendment may be found at, for example, page 10, lines 20-26, and page 11, lines 1-11 of the international application for this case, which discloses:

"If the code of the iBead 10 is not known locally, the phone 50 sends a action_request message over it's cellular interface 56 to a remote server. The server can either be a default server. Alternatively, the server which should be accessed can be indicated by a part of the code itself. The server can be part of the cellular network or a server on the internet

The action_request message 100 comprises at least a message identifier field 102 indicating that the message is an iBead packet, an action code field 104 containing the code of the RF tag in the iBead, and an authentication field 106 containing information such as the IMEI code of the mobile phone.

In the embodiment shown, the action_request message is based on the message identifier field 102 automatically directed to the iBead broker server 80. The broker server 80 contains a database which, inter alia, maps or associates the codes of the RF tags in the iBeads with predetermined actions. If the system is configured such that for each iBead registration, the broker server 80 always contains only a URL to an action server, then the predetermined action can be merely a URL the requirement to access it being implicit as a result of the system configuration."

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Applicants' invention provides an apparatus which includes a memory storing a plurality of codes, each of the codes being associated with an operation.   Then, when the apparatus obtains a code (e.g. through reading an RFID tag containing the code), a controller in the apparatus checks whether the obtained code matches with any of the codes stored in the memory.   If the obtained code does not match any of the codes obtained in the memory, the apparatus sends a message to a remote destination, wherein the message comprises an action code field comprising the read code, and wherein the message is configured to initialize an action.

In contrast, Lin merely discloses a facility for automatically accessing information on a computer network (abstract).   Lin discloses that a routine present in application software on a user's device may obtain an RF tag and RF tag reader's unique code (page 10, lines 9 to 19).   The routine may then be used to send a unique transaction code (comprising the RF tag code and RF reader code) to a system server computer which maps the code to a specific application, server or website URL.   Once the unique transaction code has been sent and a URL is retrieved, a browser program is directed to retrieve the information or application.

The examiner cites page 13, lines 25 to 32, of Lin to support disclosure for determining that a read code corresponds with a stored code and performing an operation corresponding with the stored code.   However, Lin discloses at page 13, lines 17 to 20, that the "... the type 3 RF tag can be used to display content such as a business card".   Therefore, in Lin, as illustrated in Figure 4, the following steps occur: 1)

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determine type of RF tag from the RF tag code (i.e. no
comparison of read codes with stored codes); 2) if RF tag is a
type 3 RF tag, then perform a local operation (i.e. RF tag
instructs a local operation to be performed without comparing
whether the RF tag code corresponds with a stored code); 3) if
RF tag is a type 1 or type 2 RF tag, proceed to obtain RF tag
reader's unique RF code in order to create Unique Transaction
Code (UTC); 4) the UTC is sent to system server computer and
the URL is retrieved.

It is therefore clear that, in order to retrieve a URL, a UTC
is required. The UTC is only created when using a type 1 or
type 2 RF tag and is not created when using a type 3 RF tag.

Lin does not disclose "a controller configured to determine
whether the read code corresponds with any of the plurality of
codes stored in the memory, and when the read code corresponds
with any of the plurality of codes stored in the memory, to
perform an operation associated with the corresponding stored
code and **when the read code does not correspond with any of
the plurality of codes stored in the memory**, to control the
radio interface to transmit a message to a remote destination
via the network, wherein the message comprises an action code
field comprising at least the read code, and wherein the
message is configured to initialize an action".

The examiner appears to have equated the determination of the
'type' of RF tag in Lin to a feature of the present invention
where the read code corresponds with a stored code. However,
the recognition of the 'type' of RF tag does not involve a

determination of whether the RF tag code corresponds to a stored code.

Lin clearly states at page 13, lines 22 to 26 that the type of RF tag is determined from the RF tag code (i.e. no comparing of the RF tag code with a stored code). There is no disclosure whatsoever in Lin that the RF tag code is compared with a stored code to determine the RF tag type. Therefore, the RF tag tells the user's device what type of tag it is.

It is clear in Lin that a type 3 RF tag is used to perform a local operation on the user's device and may only perform a local operation on the user's device. Therefore, when using a type 3 RF tag, no message may be transmit to a remote destination.

As shown in figures 3 and 4 of Lin, the user's device may only communicate with a system server computer 150 after creating a UTC. The UTC is only created when using a type 1 or 2 RF tag and is not created when using a type 3 RF tag. Therefore, when using a type 3 RF tag, no UTC may be created and therefore no message is transmit to a remote destination.

Applicants submit that Lin does not teach the aspect of transmitting a message to a destination in case no matching code is found, let alone transmitting a message comprising an action code field (which includes the read code) in the case when no matching code is found. Lin does not teach such an aspect, although some look-up tables are presented in the computer 130. However, according to the teachings of Lin, the look-up tables "*map unique identification codes of the RF tag 110 and RF reader 120 to specific applications, servers, or*

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web site URLs." (page 11, lines 30-31). So, in other words, the look-up tables of Lin check whether matching code is stored and performs an associated action. Lin is silent on teaching on what to do with codes not matching the stored codes.

The Examiner provides argumentation at page 4, lines 1-7, of the Office Action in support of the rejection. This however, does not provide for a teaching of the claimed limitation, as displaying an error message when receiving a not matching code (even if the not authenticated aspect could be considered as correlated to not matched code) is clearly different than transmitting a message to remote destination, wherein the message comprises an action code field comprising at least the read code and wherein the message is configured to initialize an action.

On the other hand, Lin teaches on page 10, lines 7-28 (and related Figure 2) a routine 200 where the apparatus transmits a message to remote system server 150 upon obtaining suitable code (RF tag type 1 or RF tag type 2 according to teachings of page 13, lines 6-32). However, the remote system server 150 is considered as a predefined remote destination, so the Lin reference lacks teaching the aspect of the apparatus sending a message to a remote destination, wherein the message comprises an action code field comprising at least the read code and wherein the message is configured to initialize an action even if the RF tag types 1 and 2 could be considered as correlated with not matching code.

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Furthermore, figure 3 clearly illustrates that there is only a comparison of read codes with stored codes after a UTC has been created (i.e. using the look-up table at the system server computer). When using a type 3 RF tag, no UTC is created and therefore there cannot be a comparison of read codes with stored codes. Instead, an operation is performed directly at the user's device without any code comparison. For example, business card information is directly displayed on the user's device (page 13, lines 17 to 20).

There is no teaching or suggestion in Lin to compare the code of the type 3 RF tag with a stored code in order to decide what local operation should be performed. Instead, the type 3 RF tag tells the user's device what to do.

The type 3 RF tag tells the user device to perform a specified local application. If a type 3 tag is used, only a local application may be performed and no message may be transmit to a remote destination.

As shown in figure 4 of Lin, if the RF Tag tells the user's device that it is a type 1 or type 2 RF tag, the RF tag reader's code may be obtained. A UTC is created and a URL is retrieved from a system server computer.

Neither the type 1 nor the type 2 RF tag may be used to perform a local operation. Furthermore, when a type 1 or type 2 RF tag is used, a UTC is always created to retrieve a URL from a server and therefore Lin does not transmit a message "when the read code does not correspond with any of the plurality of codes stored in the memory".

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Lin does not disclose using a type 1 or type 2 RF tag to transmit a message "when the read code does not correspond with any of the plurality of codes stored in the memory".

Rankin discloses an electronic device provided with a reader for reading data from a physical data carrier. Rankin relates to matching obtained codes with stored codes to establish device settings associated with the obtained code (e.g. silent mode, or like when putting into purse or like...). As admitted by the Examiner in the OA (page 5, lines 9-12), the Rankin reference does not disclose the steps of matching codes locally and if not found, then transmitting the code to a remote destination.

The examiner states that it would have been obvious to modify the reference of Rankin in the manner claimed in the present application. However, applicants respectfully submit that the reasoning that the code can be transmitted to a remote destination does not alleviate the deficiencies in the cited art. This is because the assumption is that the remote destination is predefined similarly to the remote system server 150 of the Lin reference. Additionally, there is no teaching, disclosure or suggestion in Rankin to transmit a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code and wherein the message is configured to initialize an action.

Rodriguez discloses various optical user interfaces that sense digitally-encoded objects. Rodriguez appears to disclose that when a not known code is received, a default application can

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be invoked that transmits the code to remote server for
further processing. However, according to the teachings of
the Rodriguez reference the remote server is once again a
predefined (destination) server configured for providing the
operation so the Rodriguez reference does not teach what
the Lin reference lacks in teaching. There is no teaching,
disclosure or suggestion in Rodriguez to transmit a message to
a remote destination via the network, wherein the message
comprises an action code field comprising at least the read
code and wherein the message is configured to initialize an
action.

Furthermore, applicants submit that there is no suggestion to
combine the references as the examiner is attempting to do (at
least not until after reading applicants' patent application).
Obviousness can only be established by combining or modifying
the teachings of the prior art to produce the claimed
invention where there is some teaching, suggestion, or
motivation to do so found either in the references themselves
or in the knowledge generally available to one of ordinary
skill in the art. (see MPEP 2143.01, page 2100-98, column 1).
The mere fact that references can be combined or modified does
not render the resultant combination obvious unless the prior
art also suggests the desirability of the combination (see
MPEP 2143.01, page 2100-98, column 2). A statement that
modifications of the prior art to meet the claimed invention
would have been "well within the ordinary skill of the art at
the time the claimed invention was made" because the
references relied upon teach that all aspects of the claimed
invention were individually known in the art is not sufficient

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to establish a prima facie case of obviousness without some
objective reason to combine the teachings of the references.
(see MPEP 2143.01, page 2100-99, column 1) Ex parte Levengood,
28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). >See also Al-
Site Corp. v. VSI Int'l Inc., 174 F.3d 1308, 50 USPQ2d 1161
(Fed. Cir. 1999) (The level of skill in the art cannot be
relied upon to provide the suggestion to combine references.)

In the present case, there is no teaching, suggestion, or
motivation, found in either the references themselves or in
the knowledge generally available to one of ordinary skill in
the art, to provide the aspect of checking whether an obtained
code matches with any codes stored in the memory, and if the
obtained code does not match any of the codes obtained in the
memory, the apparatus sends a message to a remote destination,
wherein the message comprises an action code field comprising
at least the read code and wherein the message is configured
to initialize an action, as claimed in claim 42. The features
of claim 42 are not disclosed or suggested in the art of
record. Therefore, claim 42 is patentable and should be
allowed.

Claim 66 has been amended to clarify applicants' claimed
invention. Claim 66 claims "wherein the remote destination is
a designated server, wherein the controller is configured to
control the radio interface to directly transmit the message
to the designated server, and wherein the designation of the
server is performed in response to the read code".

Similar to the arguments presented above with respect to claim
42, Lin is silent on teaching on what to do with codes not

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matching the stored codes. The Examiner provides argumentation at page 4, lines 1-7, of the Office Action in support of the rejection. This however, does not provide for a teaching of the claimed limitation, as displaying an error message when receiving a not matching code (even if the not authenticated aspect could be considered as correlated to not matched code) is clearly different than transmitting a message to a designated server, **wherein the designation is based on the received not matching code.**

Rankin relates to matching obtained codes with stored codes to establish device settings associated with the obtained code (e.g. silent mode, or like when putting into purse or like...). As admitted by the Examiner in the OA (page 5, lines 9-12), the Rankin reference does not disclose the steps of matching codes locally and if not found, then transmitting the code to a designated server (wherein the designation of the server is dependent on the obtained code).

Applicants respectfully submit that the reasoning that the code can be transmitted to a remote destination does not alleviate the deficiencies in the cited art. This is because the remote destination is predefined similarly to the remote system server 150 of the Lin reference, **thus not dependent upon the read and not matching code.**

Rodriguez discloses various optical user interfaces that sense digitally-encoded objects. According to the teachings of the Rodriguez reference the remote server is once again a predefined (destination) server configured for providing the

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operation so the Rodriguez reference does not teach what the Lin reference lacks in teaching.

The features of claim 66 are not disclosed or suggested in the art of record. Therefore, claim 66 is patentable and should be allowed.

Though dependent claims 44-51, 53, 54, 56, 59, and 64, 65, 67, and 68 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 42. However, to expedite prosecution at this time, no further comment will be made.

Applicants have amended claim 55 to recite, *inter alia*, a method comprising "transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action". Support for this amendment may be found at, for example, page 10, lines 20-26, and page 11, lines 1-11 of the international application for this case.

Similar to the arguments presented above with respect to claim 42, Lin discloses a facility for automatically accessing information on a computer network (abstract). Applicants submit that Lin does not teach the aspect of transmitting a message to a destination in case no matching code is found, let alone transmitting a message comprising an action code field (which includes the read code) in the case when no matching code is found. Lin does not teach such an aspect, although some look-up tables are presented in the computer 130. The look-up tables of Lin check whether a matching code

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is stored and performs an associated action. However, Lin is silent on teaching on what to do with codes not matching the stored codes.

The Examiner provides argumentation at page 4, lines 1-7, of the Office Action in support of the rejection. This however, does not provide for a teaching of the claimed limitation, as displaying an error message when receiving a not matching code (even if the not authenticated aspect could be considered as correlated to not matched code) is clearly different than transmitting a message to remote destination, wherein the message comprises an action code field comprising at least the read code and wherein the message is configured to initialize an action.

On the other hand, Lin teaches on page 10, lines 7-28 (and related Figure 2) a routine 200 where the apparatus transmits a message to remote system server 150 upon obtaining suitable code (RF tag type 1 or RF tag type 2 according to teachings of page 13, lines 6-32). However, the remote system server 150 is considered as a predefined remote destination, so the Lin reference lacks teaching the aspect of the apparatus sending a message to a remote destination, wherein the message comprises an action code field comprising at least the read code and wherein the message is configured to initialize an action, even if the RF tag types 1 and 2 could be considered as correlated with the not matching code.

Rankin relates to matching obtained codes with stored codes to establish device settings associated with the obtained code (e.g. silent mode, or like when putting into purse or

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like...).   As admitted by the Examiner in the OA (page 5, lines 9-12), the Rankin reference does not disclose the steps of matching codes locally and if not found, then transmitting the code to a remote destination.

Applicants respectfully submit that the reasoning that the code can be transmitted to a remote destination does not alleviate the deficiencies in the cited art.   This is because the remote destination is predefined similarly to the remote system server 150 of the Lin reference.   Additionally, there is no teaching, disclosure, or suggestion in Rankin of transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action.

Rodriguez discloses various optical user interfaces that sense digitally-encoded objects.   According to the teachings of the Rodriguez reference the remote server is once again a predefined (destination) server configured for providing the operation, so the Rodriguez reference does not teach what the Lin reference lacks in teaching.   There is no teaching, disclosure, or suggestion in Rodriguez of transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action.

Additionally, applicants submit that there is no suggestion to combine the references as the examiner is attempting to do (at least not until after reading applicants' patent application).

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In the present case, there is no teaching, suggestion, or motivation, found in either the references themselves or in the knowledge generally available to one of ordinary skill in the art, to provide for performing ... when the read code does not correspond with a stored code, transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action, as claimed in claim 55. The features of claim 55 are not disclosed or suggested in the art of record. Therefore, claim 55 is patentable and should be allowed.

Claim 71 has been amended to clarify applicants' claimed invention. Claim 71 claims "wherein the transmitting of the message to the remote destination further comprises directly transmitting the message to a designated server, and wherein the designation of the server is dependent upon the read code".

Similar to the arguments presented above with respect to claim 42, Lin is silent on teaching on what to do with codes not matching the stored codes. The Examiner provides argumentation at page 4, lines 1-7, of the Office Action in support of the rejection. This however, does not provide for a teaching of the claimed limitation, as displaying an error message when receiving a not matching code (even if the not authenticated aspect could be considered as correlated to not matched code) is clearly different than transmitting a message to a designated server, wherein the designation is based on the received not matching code.

Rankin relates to matching obtained codes with stored codes to establish device settings associated with the obtained code (e.g. silent mode, or like when putting into purse or like...). As admitted by the Examiner in the OA (page 5, lines 9-12), the Rankin reference does not disclose the steps of matching codes locally and if not found, then transmitting the code to a designated server (wherein the designation of the server is dependent on the obtained code).

Applicants respectfully submit that the reasoning that the code can be transmitted to a remote destination does not alleviate the deficiencies in the cited art. This is because the remote destination is predefined similarly to the remote system server 150 of the Lin reference, **thus not dependent upon the read and not matching code.**

Rodriguez discloses various optical user interfaces that sense digitally-encoded objects. According to the teachings of the Rodriguez reference the remote server is once again a predefined (destination) server configured for providing the operation so the Rodriguez reference does not teach what the Lin reference lacks in teaching.

The features of claim 71 are not disclosed or suggested in the art of record. Therefore, claim 71 is patentable and should be allowed.

Though dependent claims 61, 69, 70, and 80 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 55. However, to expedite prosecution at this time, no further comment will be made.

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Applicants have amended claim 62 to recite, *inter alia*,
"transmitting a message to a remote destination via the
network, wherein the message comprises an action code field
comprising at least the read code, and wherein the message is
configured to initialize an action".   Support for this
amendment may be found at, for example, page 10, lines 20-26,
and page 11, lines 1-11 of the international application for
this case.

Similar to the arguments presented above, Lin does not teach
the aspect of transmitting a message to a destination in case
no matching code is found, let alone transmitting a message
comprising an action code field (which includes the read code)
in the case when no matching code is found.   Lin **is silent on
teaching on what to do with codes not matching the stored
codes.**   The Examiner provides argumentation at page 4, lines
1-7, of the Office Action in support of the rejection.   This
however, does not provide for a teaching of the claimed
limitation, as displaying an error message when receiving a
not matching code (even if the not authenticated aspect could
be considered as correlated to not matched code) is clearly
different than transmitting a message to remote destination,
wherein the message comprises an action code field comprising
at least the read code and wherein the message is configured
to initialize an action.

As admitted by the Examiner, the Rankin reference does not
disclose the steps of matching codes locally and if not found,
then transmitting the code to a remote destination.
Applicants respectfully submit that the reasoning that the
code can be transmitted to a remote destination does not

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alleviate the deficiencies in the cited art. This is because the remote destination is predefined similarly to the remote system server 150 of the Lin reference. Additionally, there is no teaching, disclosure, or suggestion in Rankin of transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action.

Rodriguez discloses various optical user interfaces that sense digitally-encoded objects. According to the teachings of the Rodriguez reference the remote server is once again a predefined (destination) server configured for providing the operation, so the Rodriguez reference does not teach what the Lin reference lacks in teaching. There is no teaching, disclosure, or suggestion in Rodriguez of transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action.

Additionally, applicants submit that there is no suggestion to combine the references as the examiner is attempting to do (at least not until after reading applicants' patent application). In the present case, there is no teaching, suggestion, or motivation, found in either the references themselves or in the knowledge generally available to one of ordinary skill in the art, to provide transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action, as

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claimed in claim 62.   The features of claim 62 are not disclosed or suggested in the art of record.   Therefore, claim 62 is patentable and should be allowed.

Though dependent claim 63 contains allowable subject matter, the claim should at least be allowable due to dependence from allowable claim 62.   However, to expedite prosecution at this time, no further comment will be made.

Applicants have amended claim 81 to recite, *inter alia*, "wherein the message comprises an action code field comprising at least the read code and wherein the message is configured to initialize an action".   Support for this amendment may be found at, for example, page 10, lines 20-26, and page 11, lines 1-11 of the international application for this case.

Similar to the arguments presented above, Lin does not teach the aspect of transmitting a message to a destination in case no matching code is found, let alone transmitting a message comprising an action code field (which includes the read code) in the case when no matching code is found.   Lin is silent on teaching on what to do with codes not matching the stored codes.   The Examiner provides argumentation at page 4, lines 1-7, of the Office Action in support of the rejection.   This however, does not provide for a teaching of the claimed limitation, as displaying an error message when receiving a not matching code (even if the not authenticated aspect could be considered as correlated to not matched code) is clearly different than transmitting a message to remote destination, wherein the message comprises an action code field comprising

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at least the read code and wherein the message is configured to initialize an action.

As admitted by the Examiner, the Rankin reference does not disclose the steps of matching codes locally and if not found, then transmitting the code to a remote destination. Applicants respectfully submit that the reasoning that the code can be transmitted to a remote destination does not alleviate the deficiencies in the cited art. This is because the remote destination is predefined similarly to the remote system server 150 of the Lin reference. Additionally, there is no teaching, disclosure, or suggestion in Rankin of transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action.

Rodriguez discloses various optical user interfaces that sense digitally-encoded objects. According to the teachings of the Rodriguez reference the remote server is once again a predefined (destination) server configured for providing the operation, so the Rodriguez reference does not teach what the Lin reference lacks in teaching. There is no teaching, disclosure, or suggestion in Rodriguez of transmitting a message to a remote destination via the network, wherein the message comprises an action code field comprising at least the read code, and wherein the message is configured to initialize an action.

Wischerop discloses a reusable EAS (electronic article surveillance)/ID tag 28 and a detaching unit 26 that functions

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as a data reader and writer with respect to the tag 28 (column 4, lines 48 to 53). The tag 28 comprises an RFID chip 64 that is capable of storing multi-bit identification data and emitting an identification signal corresponding to the stored data in response to a radio frequency interrogation signal (column 5, lines 56 to 60).

The detaching unit 26 includes a housing 82. A nesting area 84 is provided at a top surface of the housing 82. A mechanically actuatable switch 86 is mounted in a nesting area 84 which provides an indication that a tag 28 has been positioned in a nesting area (column 7, lines 19 to 25). When a tag 28 is positioned in a nesting area 84, the switch 86 provides a signal to a control circuit 92 which causes receipt/transmit circuitry 96 and an antenna 94 to transmit an interrogation signal to stimulate the RFID transponder of the tag to generate an identification signal (column 8, lines 17 to 28).

When the identification signal is received, the control circuit 92 forwards the identifying data to a point-of-sale terminal 22. The point-of-sale terminal determines whether the detaching unit 26 should operate to remove the tag from the article of merchandise that it is attached to. If the point-of-sale terminal 22 determines that the proposed sale is a valid transaction, it will transmit to the detaching unit a signal indicating that the attaching unit should remove the EAS/ID tag 28 (column 8, lines 31 to 43). If the point-of-sale terminal did not indicate that the tag was to be removed from the article of merchandise, then the control circuit 92 writes to the RFID transponder of the tag and illuminates a

warning lamp 102 to indicate that removal of the tag is not authorised (column 8, line 65 to column 9, line 10)

Furthermore, applicants submit that there is no suggestion to combine the references as the examiner is attempting to do (at least not until after reading applicants' patent application).

Wischerop relates to security in commerce and the nesting area 84, which the Examiner compares to the docking port of the present invention, provides a security feature namely the removal of a security tag. It would not be obvious to isolate this feature from Wischerop and introduce it into a teaching that does not involve point of sale security such as Lin.

Lin, at page 3, lines 23 to 25, recites "….it would be desirable to have a system that simplifies access to information or services on the internet by allowing the user to automatically and quickly go to precisely the website desired".
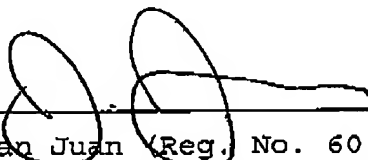
Therefore, it is incomprehensible why a skilled person, having considered Lin, would consider Wischerop, and isolate the nesting feature of Wischerop to combine it with Lin, particularly when the nesting feature would complicate the system of Lin such that access to information or services on the internet would no longer be simple and quick.

Neither Lin, Rankin, Rodriguez, nor Wischerop, alone or in combination teach the features of claim 81. The features of claim 81 are not disclosed or suggested in the art of record. Therefore, claim 81 is patentable and should be allowed.

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For all of the foregoing reasons, it is respectfully submitted
that all of the claims now present in the application are
clearly novel and patentable over the prior art of record.
Accordingly, favorable reconsideration and allowance is
respectfully requested. If there are any additional charges
with respect to this Amendment or otherwise, please charge
deposit account 50-1924 for any fee deficiency. Should any
unresolved issue remain, the examiner is invited to call
applicants' attorney at the telephone number indicated below.

Respectfully submitted,

Juan Juan (Reg. No. 60,564)   6/21/2010
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